

# Motion Practice

## a. Seeking Concurrence

As required by [Local Rule 7.1\(a\)](#), parties must seek concurrence in all motions before they are filed, by speaking in person or on the telephone with opposing counsel. Failure to seek concurrence or adhere to the Local Rule may result in the Court striking the motion.

## b. Motions Hearings

The Court will schedule hearings on most dispositive motions made before or during trial unless the Court determines in an individual case that oral hearing would not be helpful to the Court and orders the submission and determination of the motion without oral hearing on the briefs pursuant to [Local Rule 7.1\(e\)\(2\)](#). The Court will schedule a hearings on such post-trial and non-dispositive motions (including motions for temporary restraining orders) as necessary. Most civil motions will be heard starting at 2:00 PM on Tuesdays and Thursdays: Hearings will be scheduled for the first available date falling at least 10 days after briefing on the motion is scheduled to be complete. Continuances of hearing dates will be granted only on motion and only for good cause shown.

## c. Briefs

If a brief and its accompanying exhibits exceed twelve pages in total length, the filing must contain a table of contents, a table of authorities, and an index of exhibits. A paper "Judge's Courtesy Copy" of all such filings shall also be submitted, in accordance with the "Judge's Courtesy Copy Policy" contained in these Guidelines. Briefs and accompanying exhibits must comply with the requirements of length set forth in [Local Rule 7.1\(d\)](#). References in briefs to an argument or statement made by an opposing party must include a specific citation to the docket and page numbers of the matter referenced.

Captions of motions, briefs and proposed orders may never contain extraneous matters such as a listing of counsel or other language commonly found in state court filings. Pleadings containing such extraneous matters will not be filed by the deputy clerk.

## d. Summary Judgment

The "facts" section of briefs in support of motions for summary judgment shall consist of a statement of undisputed facts sufficient to support judgment for the movant, listing each fact in a separately numbered paragraph with citations to specific pages in the record or accompanying affidavits. The statement of undisputed facts counts against the page limit for the brief. No separate narrative facts section shall be permitted.

The facts section of the response brief must be in the form of a counter-statement of disputed facts, listing in separately numbered paragraphs, with specific citations to the record or affidavits, each of the facts in the movant's statement that are disputed. The counter-statement of disputed facts must identify, by paragraph number, the facts in the movant's statement of undisputed facts that are disputed by the opposing party. Statements of fact that are not disputed need not be addressed in the counter-statement. In similar form, the counter-statement may also include additional facts, disputed or undisputed, that require a denial of the motion.